

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

August 12, 2005

DIVISION ONE

B177296 Popovitch (Not for Publication)
v.
Denny's Restaurant

The judgment is affirmed. The parties are to pay their own costs on appeal.

Vogel (Miriam A.), J.

We concur: Mallano, J., Acting P.J.
 Rothschild, J.

B175888 People v. George M. Castellanos

Filed order denying petition for rehearing.

B181126 In Re Castellanos on Habeas Corpus

Filed order denying petition for rehearing.

DIVISION TWO

B177339 People (Not for Publication)
v.
Sampson

The order under review is affirmed.

Boren, P.J.

We concur: Ashmann-Gerst, J.
Suzukawa, J. (Assigned)

August 12, 2005 (Continued)

DIVISION TWO (Continued)

B176692 Macias, a Minor, etc. (Certified for Publication)
 v.
 Beverly Hospital, et al.

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Nott, J. (Assigned)

DIVISION FOUR

Court convened at 9:00 a.m.

Present: Epstein, P.J., Curry, J., Willhite, J. and S. Veverka, Deputy Clerk.

Each of the following:

B183303 Maritza H. v. SCLA (DCFS)
B174531 People v. Jaffe
B176775 People v. Walker
B175487 People v. Estrada
B180734 DCFS v. Jaime C.

Argument waived, cause submitted.

B176058 Coulson
 v.
 Waldrep, et al.

Merits:

Argued by Paul E. Heidenreich for respondent and by Craig B. Forry for
respondent. Cause submitted.

DIVISION FOUR (Continued)

B177250 Godinez
v.
Godinez

Merits:

Argued by Veronica Godinez appellant in propria persona. No appearance by respondent (Pursuant to CRC 17(a) (2)). Cause submitted.

B178966 Chambers
v.
Chambers

Merits:

Argued by James J. Kenny for appellant and by Daniel S. Standifer for respondent. Cause submitted.

B175390 Kay, Jr.
v.
Gateway Tower

Merits:

Argued by Robert S. Lampl for appellant and by Wayne S. Grajewski for respondent. Cause submitted.

Court adjourned.

DIVISION FIVE

B177516 People (Not for Publication)
v.
Stephen Reitz

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

DIVISION SIX

B179060 Human Services Agency
v.
Brandi S.

Filed order denying petition for rehearing.

DIVISION SEVEN

B160577 Baker
v.
County of Los Angeles

Filed order denying petition for rehearing.

DIVISION EIGHT

B176108 People (Not for Publication)
v.
Neko S.

The case is remanded with directions to correct the minute order of June 10, 2004, to provide that the minor is not to associate with anyone who the minor knows is disapproved by his parents or the probation officer. In all other respects, the judgment is affirmed.

Flier, J.

We concur: Cooper, P.J.
Rubin, J.

DIVISION EIGHT (Continued)

B180957 Los Angeles County, D.C.S. (Not for Publication)
v.
Connie A.

The juvenile court's dispositional order is conditionally vacated and the matter is remanded to the juvenile court with directions to order compliance with rule 1439. If, after proper inquiry and notice, no response is received from a tribe or the Bureau of Indian Affairs indicating that Savannah is an Indian child (rule 1439 (g) (1), (4)), the juvenile court's disposition order shall be reinstated. If a tribal entity determines that Savannah is an Indian child, the court shall determine whether Connie has waived the application of any of the ICWA provisions other than those pertaining to notice. (In re Jennifer A. (2002) 103 Cal.App.4th 692, 707-708.) The court shall thereafter apply those provisions of the ICWA that have not been waived and conduct a new disposition hearing. At the hearing, the court shall consider whether changed circumstances, including any that may have arisen during the pendency of this appeal, should affect the outcome. Savannah shall remain detained under the protective custody of the Department pending a new determination at such hearing.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.

B171806 M.A. Butters & Associates (Not for Publication)
v.
City of Lancaster

The award of \$750,000 for loss of future profits is vacated and set aside. As modified, the judgment is affirmed and the case is remanded for the recalculation of interest. The trial court's order denying Butters' motion for attorney's fees is reversed, and the case is remanded for a determination of Butters' attorney's fees. The parties are to bear their own costs on appeal.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.